

**Notice of Allowability**

Application No.

10/626,122

Examiner

Yaima Campos

Applicant(s)

SOHN, SUSAN

Art Unit

2185

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to April 7, 2006.
2. ☒ The allowed claim(s) is/are 1-6 and 13-18 (now renumbered 1-12).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## DETAILED ACTION

### **I. EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Albert S. Penilla (Reg. No. 39,487) on May 10, 2006.

3. The application has been amended as follows:

4. **Claim 13** is replaced by the following:

**13. (Currently amended) In a computer system comprising a processor coupled to a bus and a memory coupled to said bus, a computer readable medium comprising instructions that when executed implement a method of determining a file system layout for installation of a file system on a disk said method comprising:**

- a) providing a default file system layout comprising a root partition, a swap partition and a plurality of unassigned partitions;**
- b) assigning a size for each of said partitions;**
- c) sorting said partitions by said size assigned in said b) from largest to smallest;**
- d) identifying available blocks of free space on said disk for said unassigned partitions;**

e) assigning locations on said disk for said partitions from said largest to said smallest wherein said partitions are filled in said available blocks identified in said d) from end to beginning of said available blocks; and

f) identifying a preserved partition, wherein said preserved partition retains a location and a size, wherein the assigned size for each of said partitions is capable of being modified in either one of byte size or cylinder size, and enabling converting between byte size mode and cylinder size mode by implementing appropriate rounding adjustments before proceeding to the installation of the file system having the file system layout on the disk.

## **II. RELEVANT ART CITED BY THE EXAMINER**

1. The following prior art made of record and not relied upon is cited to establish the level of skill in the applicant's art and those arts considered reasonably pertinent to applicant's disclosure. See MPEP 707.05(c).
2. The following reference teaches a method for partitioning memory on a hard disk wherein partition information is converted into cylinder, head and sector formats and is stored in a buffer.

### **U.S. PATENT NUMBER**

US 6,000,023

3. The following reference teaches installing a file system in a disk.

### **U.S. PATENT NUMBER**

US 6,192,471

### **III. REASONS FOR ALLOWANCE**

5. The following is an examiner's statement of reasons for allowance:
6. Per the instant office action, **claims 1-6 and 13-18** are considered as allowable subject matter.
7. As per **claims 1 and 13**

The primary reasons for allowance of claims **1** in the instant application is the combination with the inclusion in these claims of the limitation of a method for determining a file system layout for installation of a file system wherein "**the assigned size for each of said partitions is capable of being modified in either one of byte size or cylinder size, and enabling converting between byte size mode and cylinder size mode by implementing appropriate rounding adjustments before proceeding to the installation of the file system having the file system on the disk.**"

The primary reasons for allowance of claim **13** in the instant application is the combination with the inclusion in this of the limitation of a method for determining a file system layout for installation of a file system wherein "**the assigned size for each of said partitions is capable of being modified in either one of byte size or cylinder size, and enabling converting between byte size mode and cylinder size mode by implementing appropriate rounding adjustments before proceeding to the installation of the file system having the file system layout on the disk.**"

The prior art of record including the disclosures under section **II** above neither anticipates nor renders obvious the above-recited combination.

Dependent **claims 2-6 and 14-18** are allowable at least for the reasons recited above as including all of the limitations of the allowable independent base claims upon which they depend.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### **IV. DIRECTION OF FUTURE CORRESPONDENCES**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yaima Campos whose telephone number is (571)272-1232. The examiner can normally be reached on Monday to Friday 8:30 AM to 5:00 PM.

#### **IMPORTANT NOTE**

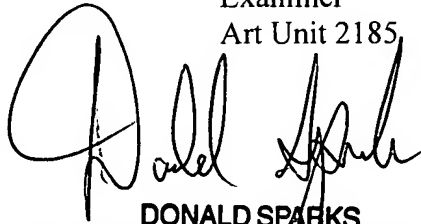
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on (571)272-4201. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 18, 2006

Yaima Campos  
Examiner  
Art Unit 2185

A handwritten signature in black ink, appearing to read 'Donald Sparks', is written over a printed name and title.

**DONALD SPARKS**  
**SUPERVISORY PATENT EXAMINER**

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